THE HATED INCOME TAX.

Opinion of a Famous Lawyer Against It.

Argument of the Late William O. Bartlett.

Showing Such a Tax to Be Unconstitutional.

ERRONROUS NOTIONS OF THE ORIGIN OF THE PROVISION CONCERNING DIRECT TAXES.

It has been contended that the provision of the Constitution, that direct taxes shall be apportioned to population, grew out of the institu-tion of slavery, and that the reason of the law having ceased the law should cease also. I know not whence those who advance this opinion derive their information. The apportionment of taxation to numbers existed under the old confederation, when the repre sentation of the States was equal-that is, when one State was allowed just as many members of Congress as another-every State being entitled to seven. It was opted in an amendment to the original articles of confederation; and the committee, consisting of Mr. Madison, Mr. Ellsworth, and Mr. Hamilton, appointed by Congress to recommend it to the States, say in their address:

"This rule, though not free from objections, is liable to fewer than any other that could be

REASON OF THE RULE. The same reason which led to the adoption of this rule under the old Confederation caused its preservation in the Constitution, which was that It was considered the most just and equitable rule for the apportionment of taxes that could be made. The debates in the Federal Convention show this. When the question of the beat mode of apportioning taxes was under discussion, Roger Sherman of Connecticut said he ought the number of people alone the best rule for measuring wealth as well as representa-." (Elliot's Debates, V., 297.) Mr. Gorham of Massachusetts "supported the propriety of establishing numbers as the rule. He said that in Massachusetta estimates had been taken in the different towns, and that persons had been curious enough to compare these estimates with the respective numbers of people, and it had been found, ever including Boston, that the most exact proporone prevailed between numbers and property. (Ibid, 300.) Mr. Wilson, a leading member from Pennsylvania, said: "He had then the western settlement of Pennsylvania, and on a comparison of them with the city of Philadelphia could discover little other difference than that property was more unequally divided here than there. Taking the same number in the aggregate in the two situations he believed there would be little difference in their wealth and ability to contribute to the public wants." bid, 301.) Dr. Johnson of Connecticut thought that wealth and population were the true, equitable rules of representation; but he conceived that these two principles resolved themselves into one, population being the best measure of wealth." (Ibid, 303). And when the vote came to be taken in the Federal Convention on the proposition that direct taxation ought to be proportioned to representation, it passed without opposition. (Bid, 302.) The attention of those who have supposed that this provision of the Constitution was adopted

Virginia-insisted with unyielding pertinacity PROPORTION OF DIRECT TAXES MUST BE EXACT.

wholly to promote the interests of slavery is in-vited to the historical fact that when the first direct tax was under discussion in Congress.

Southern members-conspicuous among whom were James Madison and George Nicholas of

The framers of the Constitution intended that the apportionment of direct taxes among the States should be in more exact ratio to the population even than it is possible to apportion the representation. For example: Suppose one representative to every 100,000 inhabitants, a State might have a large fraction left over; but the apportionment of direct taxes was designed to be with mathematical accuracy to the precise number of persons ascertained by the census. After the first apportion ment of representative had been made mated nonulation, before an actual census, it was held that the estimate of the population of the different States was not sufficiently accurate for the apportionment of a direct tax; and that, consequently, the General Government could not taken. Elbridge Gerry of Massachusetts moved that until a census be taken direct taxation be apportioned to the number of representatives. Mr. Carrolt of Maryland replied that "the number of representatives did not admit of a proportion exact enough for a rule taxation." (Elliot's Debates, V., 451.) Mr. Elleworth "thought such a rule unjust. There was a great difference between the numbers of inhabitants as a rule in this case. Even if the former were proportioned as nearly as possible to the latter it would be a very inaccurate rule. A State might have one representative only that had inhabitants enough for one and a half or more, if fractions could be applied." (Ibid, 453.) Mr. Gerry's motion was defeated. The Convention, after debate, decided that direct taxes must be apportioned in the States in more exact ratio to the population than the representatives could possibly be apportioned, (Elliot, V., 453.)

Many of the leading patriots of the Revolution Patrick Henry among them-were distrustful of granting this power, even with the restriction placed upon its exercise. Massachusetts accom-panied her adoption of the Constitution with a resolution signed by John Hancock, whose name heads the list of signatures of the Declaration of Independence, recommending an amendment of the Constitution which should prohibit Congress from levying adirect tax until they should first have made a requisition on the States. (I Elliot, 323.) The same amendment, word for word, was recommended by the State of New York and the State of North Carolina, and similar resolutions were adopted by South Carolina and Rhode Island and Virginia.

In the apportionment of the direct taxes which had been laid by Congress previous to the inserved with acrupulous accuracy. The actual use of the authority up to the time of the impo altion of the income tax was in accordance with the understanding of the framers of the Constitution. Thus we see with what ulcety the direct tax of \$20,000,000, approved Aug. 5, 1861, was apportioned. The ratio of New York is thus stat-

"To the State of New York, \$2,602,918%." INJUSTICE TO NEW YORK.

In 1850 the apportionment of representation was changed. The principles of a report on the subject, made several years proviously in Congress by Daniel Webster, were adopted, and by cir application the relative representation of New York in the United States House of Repreecatatives was reduced, to make it more socu. rately proportioned to her population. Thus we perceive that:

1. The comparative representation of New York in Congress was reduced by the apportionment of 1880 . It will be greatly reduced by the increase about to take place in the representation of the

Southern States. 3. That while our comparative representation is subjected to such a reduction, the proportion of direct taxes levied upon the State has been more than doubled. In order to render this kind of legislation constitutional an amendment to the Constitution would be required, to read as ollows: "Representatives and direct takes

shall be disproportioned to each other!" In the GRAND OPERA STARS HERE. apportionment of the direct tax of 1798 the sum put down to the State of New York was \$181,680 7-10, and in that of 1813 \$430,141.62. It will be seen that in laying all these direct taxes the requirements of the Constitution were observed by apportioning them strictly accord-ing to the census, even to the fraction of a dollar. THE ABOLITION OF SLAVERY NO REASON FOR

CHANGING THE RULE. The abolishment of slavery, so far from re-moving the reason for apportioning direct taxes to population, creates an additional cause why the Northern and Western States should insist on adhering to it. The former slaves, only threefifths of whose number was reckaned in apportioning representation, are now counted in full, the same as other persons, and the former slave States will gain by this change a large increase of representatives. Their proportion of direct taxes should be increased correspondingly, unless it is proposed to give the colored man the ballot and at the same time exempt him from taxation; to make him not the equal of the white, but his superior; not merely "a man and a brother," but a man and a master

REBEL STATES DO NOT PAY.

The unapportioned income tax is as unequal and unjust in its operation as it is unlawful in principle. Its burden rests almost entirely upor the loyal portion of the country, as if it were designed as a punishment for patriotism and a reward, by way of pecuniary exemption, for treason. The ten rebel States-Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, Arkaneas, and Texas—these ten paid of the tax collected in 1806 less than one per cent, of the whole amount of the income tax. The Eighth Congressional district of New York paid \$6,350,751.49. Mis-alssippi, the State of Jefferson Davis, paid, all told, the enormous sum of \$60, no fractions. At this rate the payment of the national debt, by an unapportioned income tax, would be just as easy, so far as the part of the rebel States is concerned, as repudiation. It is true that last year the rebel States did a little better; and, for my own part, I cannot severely blame them because they do not contend, as for a prize, for the privilege of paying a tax, the principle of South Carolina put it to the test. And not until some new principle of human nature never yet discovered shall be evoked will men manifes extreme alacrity to pay for being whipped. Heavy blows subjugate, but they can hardly be expected to quicken the conscience to a lively ense of pecuniary obligation for the expense of dealing them.

NEW YORK WRONGED OUT OF ELEVEN MIL

LION DOLLARS IN ONE YEAR. The income tax paid by the Eighth Congressional district of New York in the year ending June 30, 1867, amounted to \$5,495,676.04. The ncome tax paid by the State of New York for the same year was \$20,085,507.71. This is more ouble the amount that the State would have had to pay had the tax been apportioned to the census, as required by the Constitution. By an unconstitutional law a sum amounting eleven millions of dollars more than the just proportion was taken from the pockets of citizens of the State of New York in the year 1867. That was the third year of this measure of injustice. And yet, during all the years that it has been perpetrated, the State has remained dumb on the subject on the floor of Congress, voiceless in the Senate, and voiceless in the House of Representatives!

During the rebellion there was naturally s strong disposition to acquiesce in the measures of the Government. This arose from noble and patriotic impulses. War has its own laws; but their sombre shadow should not be permitted to rest on the Constitution in time of peace. The feeling of patriotism which sanc-tions unconstitutional legislation, merely be-cause it follows a patriotic war, is as blind as the sentiment of reverence when it leads to the worship of idols and to human sacrifice.

IT CONCERNS THE WHOLE PEOPLE. This matter concerns the poor as well as the rich. If the rights of property can be invaded with impunity and in defiance of constitutional law, the freedom of the citizen will not long remain secure. Rights of property and rights of person are inseparable; they exist or perish together. A slave who does not own himself cau-not own any property. And just in proportion as a government renders insecure the fruits of a man's labor, whereby he maintains his life and his independence, it reduces him toward the condition of a slave. Whenever the Constitution fails to prove an impenetra-ble shield to all those rights of property over which it extends, it will cease forever to ld protection to liberty. In the Co ments are written in the Bible that no capitation or other direct tax shall be laid, unless in proportion to the census. The income tax is a direct tax, and is not laid in proportion to the census. It only remains for Congress to repeal the tax, or to apportion it according to the census. A disposition has been manifested, in quarters where statesmanship was to be expected, to speak slightingly of the Constitu-tion as a mere bit of parchment. Let it borne in mind that, parchment though it be, it is the only foundation of our government. The simple adoption of this parchment Constitution by the thirteen original States was the only act of formation of the present Uni The Constitution breathed into this nation the from it we had no right, either legal or moral to wage our recent war and to crush the rebe lion. The Constitution is the Government. So believed Abraham Lincoln. When he had taken the Presidential oath to "pre-serve, protect, and defend the Constitution." he said: "I have the most solemn oath registered in heaven to preserve, protect, and defend the Government;" and so highly did the State of New York approve this interpretation of the oath that she caused it to be painted in large letters, atretching across the whole width of her Assembly chamber above the portrait of Washington. that it might confront the sight of her repre-

Remember, O. Congress! while the President of the United States stands arraigned at the bar of the Senate, impeached by the House of Representatives for the violation of law, the corner stone of the Constitution, pried away by an act of legislation, still remains out of place.

sentatives forever.

DEMOCRATIC SENATORS CONFER. Gorman Sees Jones and Brice and After-ward Lindsuy and Smith.

There have been several meetings and conferences of Democratic United States Senators in this city during the past two weeks. Last week Senator James K. Jones of Arkansas, a member of the Senate Finance Committee, and Senator Gorman of Maryland occupied connecting rooms in the Fifth Avenue Hotel. During their stay in the city they were visited by Senator Brice of Ohio. All of these lawmakers left the Brice of Ohlo. All of these lawmakers left the city the latter part of last week, but Senator Gorman returned last Monday. He met on this visit Senator William Lindaay of Kentucky and Senator Smith of New Jersey. Senator Gorman returned to his Maryland home for his Thanksgiving dinner on Wednesday night, and Senator Lindaay left the city yesterday. What these Senators were conferring about is mere matter of conjecture, but it may have something to do with legislation during the session which will begin next Monday night.

The James Lick Monument.

SAN FRANCISCO, Nov. 20.-The James Lick monument was unveiled this morning in City Hall square with appropriate exercises. The cost of the monument, which is one of the finest in the United States, has been \$100,000. The in the United States, has been \$100,000. The main material is granite, which serves to sunport massive bronze figures of heroic proportions, and also bronze panels, all of which are historical in design, and illustrate the growth historical in design, and illustrate the growth of California from her early history to the present day. The cration was delivered by William and the France of the Society of California Pioneers. George Schoenwold, President of the Lick Trust, formally presented the monument to the city, and Mayor Ellert made the address of accentiance.

"No Bill" Returned for Mayor Hopkins Curcago, Nov. 29. The Grand Jury yester day disposed of the likel charge brought by Mayor Hopkins against John H. Tenner, Chair-man of the Republican dista Central Commit-tee, by returning "No bill."

THE ARRIVAL OF MAUREL AND MADAMES NORDICA AND EAMES. All Three Wore Passengers on the French

Line Stenmer La Bretagne, Which Got in Yesterday After a Stormy Voyage, The belated La Bretagne brought yesterday the last three of Abbey & Grau's singers, and, with the exception of Miss Spbil Sanderson, who arrives in January, the company is now mplete. Victor Maurel, Mme. Lillian Nordica, and Mrs. Emma Eames Story were expected last Sunday, but the delay at Havre, owing to the sunken steamship at the entrance to the harbor, kept them in port until the French authorities thought it safe for the steamer to leave. Mr. Julian Story accompanied his wife, and was ill with pleurisy during the greater part of the voyage. He was very pale yesterday, but Mms. Eames has not changed in appearance since her last season here.



"I am delighted that I am to make my début this season as Desdemond. I have already sung the part once, and that was in London, just before I was married. It was at Covent Garden, and Mme, Albani was entitled to the rôle, so I had no opportunity to give it until late in the season. Then I was married in a few weeks. Jean de Reszke sang Otello. Mr. Grau was anxious that I should sing first in 'Romeo et Juliette,' but I wanted to come before my first audience this winter in a new rôle. But it really is a joke to think of my acting a purely comedy rôle, as I shall do in 'Falstaff.' I am to sing Mistress Ford, and it will be my first appearance in a comedy part. The music of 'Falstaff' is beautiful, full of freshness and youth, but so difficult that it will require a great many rehearsals. But we are commencing in time, as the first thing Mr. Grau told me on the dock was that we were to have a rehearsal to-night of 'Otello' at the Casino." Mme, Eames sang last spring at Covent Gar-

den, where she gave the part of Charlotte in "Werther" for the first time. She says that Jules Massenet, the composer, told her that she could not have sung and acted the part more to his liking if he had taught her himself. Mme. Nordica, looking thinner than she was last year, and wearing a light-brown cloth tailor-made dress, with a purple silk bodice, went from the dock to the Imperial Hotel, accompanied by a German dachshund and an amazingly barbered french poodle. The dachshund is probably to remind Mme. Nordica of Germany and maybe of Mme. Cosima Wagner, and the French poodle will always be a reminiscence of Paris, where her flancé, Zoltan Doeme, is at present. Mme. Nordica said that they were most certainly engaged. He will not return to

Paris, where her flance, Zoltan Doeme, is at present. Mme. Nordica said that they were most cortainly engaged. He will not return to America this winter, and will probably appear at the Opéra in Paris. Mme. Nordica said that his voice had developed into a very fine tenor and that she expected great things of him. In the afternoon she went to Boston to spend Thanksgiving with a sister, and will return to New York on Sunday.

"I can't tell myself." Mme. Nordica said, "what difference there may be in my performance of Elsa. When I went to Bayreuth and began to study with Mme. Wagner I tried to efface everything that I had previously known of the part. I had never sung it in German, but learned it here last winter, so when I began my three months there I knew the part moderately well. There was never any suggestion as to the manner in which I was to sing it, and when either Mme. Wagner of I was in doubt as to the manner in which Wagner had intended a thing to be sung or acted we went to his own directions. Whether in the last act, for instance, the sword should be laid on the couch or leaned against it was decided by referring to the directions he himself had written. It was this way with the whole part. How much it has been changed in acting since I gave it here I leave to the public to judge, because I really cannot feel myself that it is very different. I shall wear the costumes that I wore at Bayreuth. A great deal that was peculiar to the part of Elsa at Bayreuth will not be possible here because the environment is so entirely different."

Mme. Nordica sang not only in Bayreuth, but in the larger German cities, and she went to Paris after her season concluded at Leipsic.

M. Victor Maurel is the most famous of living baritones. He is a Frenchman, born at Marseilles more years ago than he cares to tell, and his mother was a German. He has sang before in America, but that was back in the beginning of his career, and he was not a star, but a very youthful member of the company at the Academy of Music, which inclu

JAILED A GOLDBERG ANYHOW The Judgment Is Against Alexander, but

There is a prisoner to Ludlow street jail who says that he is a victim of mistaken identity. He is Louis Goldberg, a painter, of 172 Henry street. He was arrested on Tuesday night upon process issued out of the Fourth District Court upon a judgment for \$38.50 in favor of Harry Feingold. The judgment is against Alexande Goldberg. The papers were in the Sheriff's office yesterday and inaccessible, but from what could pe learned it seems that Feingold is a dealer in watches upon the installment plan, and that some one got a watch and chain of him which he disposed of without paying for it. For thi Feingold brought the suit, got judgment, and had Louis Goldberg arrested. Louis Goldberg declares that he never saw or heard of Feingold or his business, and that he never owed any one so much money as \$18.50.

The prisoner's wife was found in a little room under ground at 17? Henry street. It is a big double tenement. The housekeeper acted as interpreter. Mrs. Goldberg was making up a little fire with cinders.

"See" she said, nointing with her grimy hands to the table with a crust of black bread upon it. "My husband was taken away and I have given all the money I had, \$2, to a lawyer to help him. I have had nothing to cat to-day but the bread.

Here she began to cry. She said her husband had never had a watch or chain, and that she never saw Feingold until last week, when he was pointed out to her on the street. That was after the suit was begun. The housekeeper said that Louis Goldberg was very poor and that the landlord let him have the room they live in for nothing.

"I have known him for two years," she said. Feingold brought the suit, got judgment,

"I have known him for two years," she said,
"and I never knew him to have a watch. He
has done odd jobs for two years for the landlord
and was always a decent man. He has been sick
versity all attempts." nearly all summer."

It was said that a writ of habeas corpus would be obtained to-day, and that the landlord would testify to Goldberg's good character.

At the jail it was said that it was understood that Feingold had identified Goldberg at the time of the arrest as the proper defendant.

PITTERCROH, Nov. 29. - George M. Irwin, the discretionary pool operator whose case has at-tracted much attention, has returned to Pittsburgh from New York, arriving on the Western express at 7:45 o'clock this morning. Friends were in waiting at the Union Station, and with them Mr. Irwin immediately disappeared. Reports are current that Mr. Irwin was placed under arrest shortly after his arrival and that he gave built for a hearing. This, however, cannot be substantiated at Police Headquarters. THE SOUTHERN ASSOCIATED PRESS.

Ratification by the Stockholders of the New Agreement with the United Press. ATLANTA, Nov. 20 .- A meeting of the stock holders of the Southern Associated Press was held here to-day. There was the largest attendance of members since the organization of the association. The question of ratifying the memorandum of agreement between the United Press and the Executive Committee of the Southern Associated Press, made in New York on Monday, Nov. 26, was fully considered, and, after discussion, was adopted with only a single

dissenting vote. The members discussed the false statement made by the Associated Press of Chicago on the differences between that association and the Southern Associated Press, and indignation was expressed at the gross misrepresentations made in that report. A committee of five was ap-pointed to draft a reply. It will be prepared at once, and given to the public.

The association adjourned until to-morrow

morning, when it will meet to formulate a plan for conducting an aggressive fight and extending the service of the Southern Associated Press into the new territory conveyed to it under the new contract with the United Press, covering the States of Teunassee. Kentucky, Mississippi, Arkansas, Louisiane, and Texas.

A full midday and night service will be effered to the newspapers in these states. The Southern organization is now in position to furnish its clients and members with an efficient service covering the United States and foreign countries by reason of its exclusive arrangements and contract relations with the United Press. All of the papers in the South are determined to maintain the integrity of their association, every member having renewed his allegiance to the Southern Associated Press.

This alliance with the United Press adds upward of forty newspapers to the papers served by the United Press, and deprives the Chicago organization of that number of Southern papers.

The following telegrams were received tonight: into the new territory conveyed to it under the

To Capt From P. Howell, President Southern Associated Press afeil Press. Alimits, Ga.:
Convey my best respects to your colleagues, and the assurance of my hearty coperation in everything that may conduce to the independence and stability of the Southern Associated Press. The rebute you have administered to the dishonest management of the Associated Press is nothing short of an important public service.

CHARLES A. DASA. To F. R. Howell, President, and Hon. Puritable Waish, General Manager, Southern Associated Press, At-

To E. R. Hoveri, Premiers, the Associated Press, Atmata, Ga.;
The Southern Associated Press will make no mistake
in carrying out the contemplated plan of an alliance
with the United Press, of which the undersigned
newspapers are affiliated. We are entirely satisfied
with the United Press service and with its management, and assure the Southern Associated Press of an
unalterable determination to stand by the United
Press, We are satisfied that the United Press is both
able and determined to maintain itself in the contest
with the Western Associated Press, and we are equally
determined to suppose the Press and we are equally
determined to majoriated Press, and we are equally
determined to majoriated Press, and we are equally
determined to suppose the Samenta, Philadelphia Ledger,
HARLAY H. WESTERTAN,
Philadelphia Eccusion Telegraph,
Romestern, N. Y. Nov. 29.
Capt. Econ. P. Howell, President Southern Associated
Press, Albaria Ga.;
Lan greaty pleased at the action of your control-

I have, Attentin Go.:

I am greatly pleased at the action of your controlline in New York. It is a matter of constant satisfation to us to be associated with the United Press. They live up manufuly to their contracts and always keep their promises. Every member of our association is enthusiastic in support of present arrangement and we stand by the ship with entire confidence in the future.

W. F. Ballan,
President Associated Press of the State of New York.

MISSING MRS. THUROW

If Anybody Suspected She Would Flee, It Was Not the District Attorney.

Assistant District Attorney Unger was asked yesterday what would be done by the District Attorney's office about the supposed flight of Mrs. Thurow, the witness against indicted expolice officials of the East Fifth street station.

Mr. Unger said:

"I cannot speak authoritatively any further than my own knowledge of the procedure of such cases leads me. Mrs. Thurow was one of the few witnesses who testified regarding police cor ruption whose testimony had not to be forced from her. As I remember, she made her state-ments voluntarily and without compulsion. She had appeared before the Lexow committee, before the Police Board, before the Grand Jury, and at the District Attorney's office on every occasion when her presence was required, and there was no suggestion from any source or any apprehension in the mind of any one interested in the prosecution of the police cases that Mrs. Thurow would not appear when wanted. The District Attorney could not and would not, without some just reason prompting him thereto, secure the commitment to the House of Detention of such a witness. Her whereabouts was known, she was easily accessible, and she had always manifested her willing-

ness to appear.
"There are two serious objections to the com-"There are two serious objections to the commitment of such a witness—first, the injustice of such a course, and second, our past experience has demonstrated that it antagonizes a friendly witness. Here is another problem which would confront the District Attorney in this particular case: If it was proper to commit Mrs. Thurow, what would be the place of her detention? I know Sergeant Holbrow in the House of Detention is an honorable official, and has always added the District Attorney's office House of Detention is an honorable official, and has always aided the District Attorney's office concerning the witnesses committed to his care, but it certainly would prove embarrassing to him to assume the custody of a witness against his former associates and superior officers. It must be borne in mind that the House of Detention is a bureau of the Police Department.

"I see that Chief Detective Thomas Kearney of Dr. Parkhurst's society is quoted as saying that Mrs. Thurow came to him about two weeks ago pleading poverty and saying that the friends of those against whom she was to appear in court had been bothering her and offering her money. If this information or any suggestion of this fact had been conveyed to the District Attorney, I very well know that he would have taken steps to protect the woman and secure her appearance, for he has aiready acted on less circumstantial evidence furnished to him from the same source.

"Do you consider that it was Mr. Kearney's duty to notify your office?"

"It certainly would have been proper for him or those whom he represented to do so," replied Mr. Unger, "I do not care to say anything further on that subject."

Mr. Unger and that the Penal Code had been consulted in considering the possibility of extraditing Mrs. Thurow. He said:

"Section 80 declares that a person who is or should to become a witness upon any trial or proceeding, who receives or agrees to receive a bribe upon any agreement that his or her testimony shall be influenced thereby, or that he or she will absent himself or herself from the trial, hearing, or proceeding; is guilty of a feiony. The difficulty would of course be," he added, "to prove that the witness was bribed to go away, and it might amount to an impossibility." has always aided the District Attorney's office

The Safe Blown Open and 8,000 Two-cent Stamps Taken.

BALLSTON, N. Y., Nov. 27.-The cigar and candy store of P. C. Anderson, Postmaster at Stillwater, twelve miles east of this village, was entered by burglars at about ? o'clock this morning. The Post Office safe was blown open and all of its contents were taken, including 8,000 all of its contents were taken, including 8,000 two-cent stamps that had been received yester-day from Washington. Before Postmaster Anderson could do business this morning he had to send to the Mechanicaville Post Office, three miles away, to secure a supply of stamps. A registered letter in transit from Victory Mills to New York was stolen, together with a small amount of money which was in the safe and a quantity of eigars. The burglars were heard during their operations by two families living over the Post Office, but they had fastened the doors with wire so that the jamates could not get out and interfere with them.

Sov. Walte Will Lecture.

Sr. Louis, Nov. 29.-Gov. Walte of Colorado, who is here attending the silver conference, stated to-day that when his term of office expired he will enter the lecture field.
"I don't know." said he, "just what I'll talk

bout, but I won't find it difficult to secure ma-Branching into politics, he said that populism was, simply alseping and that the Democratic party was as good as dead. He insisted that both the old parties were now controlled by Wall street, and that all shades of discontent would unite with the Populists.

The Purdee's Crew Rescued

NEW LONDON, Nov. 29 .- The crew of the fourasted schooner Annie J. Pardee of New Haven, nine in number, were rescued from Cornven, nine in number, were rescued from Corn-field shoal and brought to this port this morning. The Pardee, which was loaded with coal bound for Boston, struck the rest yesterday morning, and it was thought the vessel would be dashed to pieces on the rocks. The crew had a terrible experience during the night, and all clung to the rigging and waited for assistance.

An Engineer Hilled in a Collision. HARTFORD, Nov. 29 .- A passenger train on the Valley Division of the New York, New Haven and Hartford road entering this city. struck a freight engine of the New York and New England at the grade crossing near Pleas-ant street at 10 o'clock this morning. Engineer H.J. Lawis of the New England engine was in-stantly killed. The passenger train was de-railed, but no one hurt.

UNSAFE OFFICIAL HEADS. SECTION 48 IS A VERY LEAKY UMBRELLA INDEED.

the Pinceholders Who Are Learning It By Heart Head How the Courts Con-strus It-" When It Hains Let It Hain" Is the True Philosophy for Wet Weather. Besides the protection from removal afforded to subordinates in the municipal service by the civil service laws and rules there is a notion on the part of many city employees - those holding some of the very best places in the service, in fact—that a provision of the Consolidation act will help them very materially in their efforts to keep their places. The provision referred to is found in section 48, and is as follows:

"The heads of all departments (except as otherwise herein specifically provided) shall have power to appoint and remove all chiefs of bureaus (except the Chamberlain), as also all clerks, officers, employees, and subordinates in their respective departments, except as herein otherwise specifically provided without reference to the tenure of office of any existing appointee. But no regular clerk or head of a bureau shall be removed until he has been informed of the cause of the proposed removal and has been allowed an oppor-tunity of making an explanation; and in every case of a removal the true grounds thereof shall be forthwith entered upon the records of the department or board. In case of removal, a statement showing the reason therefor shall be filed in the department."

The provision quoted has been the law for

nearly twenty years, but it has hampered succeeding municipal administrations very little in getting rid of placeholders whose places were wanted. Still it has protected many who hold clerical places. There are very many of these is the departments who have been in office for the departments who have been in olinee for nearly a generation. Some of these are said to be Republicans, so far as they have any politics, but all of them are kept in place because of the particular ability they bring to the special work to which they are assigned. These men have the administration of Col. Strong. It is the other class-those who have been made heads of bureaus or appointed to clerical places because of their political pulls—that are looking about for something which will protect them in their places against the onslaught of the Republican horde of hungry place seekers. These men are learning section 4s by heart.

Others in former years have appealed to the protection of that section in vain. New heads of departments have lopped off official heads, and the owners of these heads have appealed to the courts, but in most instances they have been informed that they had no redress. The decisions of the courts under this section of the Consolidation act are many, and if the men who hope that that law will protect them in their tenure of office will read the decisions they will find little comfort in them.

In the first place, nothing like a formal trial under charges is granted the official selected for the slaughter. The head of the department has only to be satisfied that the accused subsydian reasonable time to make an explanation, and if such explanation be unsatisfactory, he may make the removal. No witnesses need be called; in fact, the courts have decided that the heads of departments may act on facts within their own knowledge or information received from others. The grounds for removal must be some dereliction or general neglect of duty, or some delinquency affecting general character or fitness for office.

It is not required that the accused clerk or head of bureau shall be notified of the cause for his proposed removal in writing. Verbal notice has been decided to be sufficient.

Secretaries of the various departments are not regular clerks within the meaning of the section quoted. The b nearly a generation. Some of these are said to be Republicans, so far as they have any politics.

and Roads, Chief Engineer of the Croton Aqueduct, &c.

There is another thing to be considered by those place holders who pin their hope on section 48, and that is that it may be very materially amended by the Republican Legislature. Then, too, there is the not very remote possibility that a law will be passed to carry into effect the provisions of the new civil service section of the Constitution, which will entirely change the tenure of office of the present municipal officials and make it possible to supersede all such who are not veterans of the war.

TO HELP THE EAST SIDE POOR The Federation of East Side Workers Get

The Federation of East Side Workers, which has grown out of the different relief agencies established last winter, has issued a circular to churches and benevolent societies calling for closer cooperation in the improvement of the condition of the east side working people. The object of the federation, which has now secured a charter, is to increase the efficiency of the penevolent work south of Fourteenth street and east of Broadway by a careful study of the needs of the people. Every phase of life affecting the workingman and his family is to be studied and

an effort made to remedy existing evils. John B. Devins, pastor of Hope Chapel, Chairman; Mrs. Charles Russell Lowell, John Seeley Ward, Jr., Nathaniel S. Rosenau, the Rev. Daniel H. Overton, J. Lloyd Thomas, the Rev. J. G. Thoms, M. D., the Rev. W. T. Elsing, the

Daniel H. Overton, J. Lloyd Thomas, the Rev. J. G. Thoms, M. D., the Rev. W. T. Elsing, the Rev. Daniel Redmond, the Rev. Eraest L. Fox, and P. J. McCue. The Rev. Mr. Devins said yesterday that direct relief would be the last resort in alding the worthy poor.

"One object is to prevent money given for charity from going into the pockets of unworthy people," said he. "There will not be any greater poverty among the very poor this winter than last winter, but it will be a hard one for many industrious people who are willing to work but can't get it to do. We aim at having a suitable building near the centre of the poorest district, which shall be occupied by such branches of the cooperating societies as shall share its expense. You will see by the committee that our organization is non-sectarian. There will be a lecture bommittee and a sanitation committee, besides a relief committee. The latter will consider the temporal needs of the district, with a view to helping every family requiring aid and preventing the evils due to indiscriminate giving. Self help will be the goal directly aimed at. Last year the people employed for street cleaning by the Relief Committee took away 4,000 barrets of dirt where streets were rarely, if ever, cleaned. The result has beel a spurt in the direction of cleanliness among the people themselves."

themselves."
The Industrial Christian Alliance will open a people's restaurant on Monday at 57 Avenue C. Those who prefer it can take five cents' worth of provisions with them to be eaten at home.

The Jury Binagreed.

NORWICH, N. Y., Nov. 20.- At 5 o'clock this vening the jury in the case of the People versus Mrs. Florence I. Parker, of Afton, Chenango county, charged with manalaughter in the sec-ond degree, reported that they were unable to agree on a verdict and were discharged. They had been deliberating for twenty-two hours. The case has aroused extra rdinary local in

On the night of Feb. 27 last Alonzo Phillips of Afton was shot while in the vicinity of the yard attached to Mrs. Parker's house. He was one of a party of twenty-seven persons who were engaged in a charivari instituted because of Mrs. Parker, who was 60 years of age. Mrs. Parker was 30 years old. There is a possibility of a new trial being ordered next month.

Schoolboy Orators Prevail Over Mayor

A committee of schoolboys in Long Island City called on Mayor H. S. Sanford on Wednesto-day. The committee consisted of Frederick Kregel, who acted as spokesman: E. Manley. William Harmer, Michael Mulico, and David Wright. They presented such a strong case that the Mayor issued an order closing the schools. day and asked to have the public schools closed

An Engineer Found Bend in a Sewer. Peter McLean, 25 years old, of 69 Sixth street, ong Island City, was found dead yesterday in ten inches of water at the bottom of the Harris avenue sewer in that city. McLean was an en-gineer, employed by Police Commissioner John C. Sheehau, who has the contract for building the sower. McLean reported for work yester-day morning, after being ill a week. It is be-lieved that he fainted and fell into the sewer.

Dr. J. J. Kenyoun of the United States Marine Hospital service, who was sent abroad to investigate the scrum cure for diphtheria, returned yesterday on the steamship Lahn. He believes the scrum is as efficacious in diphtheria as vaccination is in small-pox. He will use the scrum in the hospitals of the marine service.

A Boy Feddier Killed by a Truly. ELIZABETH, N. J., Nov. 28.—The body of a boy about 15 years old was found lying beside the Central Hallroad tracks this morning. His legs had been cut off and his skull fractured. Next the body was a peddler's pack. It is thought that the boy was a Jew peddier.



A Woman in a Jury-Box

By John Kendrick Bangs

One of the ludicrous outcomes of equal suffrage: a woman is called for jury duty. She serves; while in the jurybox a domestic calamity occurs. How she scorns the court, marches home and shows her "emancipation" is told by Mr. Bangs in the Christmas issue of

The Ladies' Home Journal

10 CENTS ON ALL NEWS-STANDS

The Curtis Publishing Company, Philadelphia

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KNOCKED OUT BY A HACKMAN. Fitzsimmons's Pal Fared Badly in Befriending a Yale College Student,

R. P. Parker, who said he was an oil broker. and that he lived at Oil City, Pa., went to Police Headquarters yesterday and lodged a complaint with Inspector Conlin against a policeman of the West Thirty-seventh street station for refusing to arrest a man who had assaulted him. He did not know the policeman's name, but said his number was 2,716.

Parker came to the city on a business trip s few weeks ago. According to his story, he was out having a good time on Wednesday night. and at an early hour yesterday fell in with a Vale college student, who was seeing the town. The latter had hired a hackman to take him around. Parker came across the student at Seventh avenue and Fortieth street. The stu-dent was surrounded by four or five night-

dent was surrounded by four or five night-hawks, who were after his money. What followed when Parker came upon the scene is, perhaps, best told in his own words:

"These hackmen," he said, "were robbing the young fellow, who was feeling good and dishing out his money to all hands. I said to him. You are being robbed; you don't owe all these fellows. Pay the man you hired and get out of here. One of the hackmen threatened me, and I started to take off my coat. I said that I used to travel with Fitzsimmons, and I could 'do up' any one of them. While I was taking my cost off I got struck across the left eye and nose with a sandbag.

"The blow knocked me out into the street, broke my nose, closed my eye, and wrecked my hat. When I got up on my feet! saw my assailant running away. I went after him, and called on policeman 2.716 to arreat the fellow. The policeman let him get away after chasing him a block.

him a block."
Parker looked as though he had met with rough usage. When at the New York Hospital yesterday he was told that his nose was broken. Inspector Conlin. on hearing Parker's story, said he would investigate it. Parker, however, after thinking the matter over, concluded that the policeman did all he could to arrest his assailant, and refused to press his complaint.

The marriage of Miss Juliet E. Orr, daughter of Alexander E. Orr. President of the Chamber of Commerce, to Albert H. Munsell, of Boston, took place on Wednesday at Christ Church, ated. The bridegroom is an artist. He met his bride in Europe last year. Henry Mun was the best man, and Dr. J. Tucker Cuttler and Ralph W. Foeter of Boston, Virplanck Birney and G. L. Stebbins of this city, and R. B. Mather of Brooklyn were the ushers. A reception was given at the Orr residence on Remsen street. The couple will live in Boston.

MARINE INTELLIGENCE.

MINIATURE ALMANAC—THIS DAY.

Bun rises.... 7 G4 | Sun sets... 4 34 | Moon sets... 7 G5 BIGH WATER-THIS DAY. Sandy Hook, 9 12 | Gov. Island, 9 39 | Hell Gate, 11 28

Arrived-THURSDAY, Nov. 20 Sa Runic, Thomas, Liverpool, Sa Hekla, Laub, Christiansand, Sa Jancia, Petrie, Gibraitar. Sa Restann, Hansen, Catania. Sa Neptuno, Eirknen, Montego Ray. Sa Hea Bellido, Young, Philadelphia. Es Terrier, Berg, Demerars. Sa Oid Dominiou, Couch, Kichmond.

ARRIVED OUT.

Sa Prussia, from New York for Hamburg, off Prawle Ba Nomadic, from New York for Liverpool, passed frow Head. rdam, from Rotterdam for New York, off

SAILED FROM FOREIGN PORTS. Sa Mohawk, from London for New York Sa Achilles, from Singapore for New York, Sa American, From Interedan for New York, Sa Laurestina, from Shields for New York, Is Laurestina, from Shields for New York, Is Minister Maybach, from Shields for New York.

SAILED PROM DORESTIC PORTS So Gate City, from Boston for New York

CUTSOING STEAMSHIPS.

Kall To-mari Die Today Polaria Lydian Monarch

Due Saturday, Dec. Due Synday, Dec. 2. Due Monday, Dec. 8.

A COOL AND IMPUDENT THIEF. William Reno, Who Has Robbed Probably

When William Reno, the furnished-room thief who was arrested in Mrs. Husted's house, at 184 South Eighth street, Williamsburgh, on Wed-nesday, for stealing clothing and jewelry, was arraigned in the Lee Avenue Police Court yes-terday he smiled at the person who had identified him. Alfred Dinkelspiel of 233 East Eighteenth street, this city, from whose room Rene stole more than \$1,500 worth of clothing and jewelry about a week ago, identified his hat, which Reno wore. "That's my hat," said Dinkelspiel to the

"That's my hat," said Dinkelspiel to the prisoner,
"I know it is," Reno answered, "You are rich enough to buy another."
Reno held tightly to the hat. As Dinkelspiel was robbed in this city, his complaint was not taken. Edward West and Henry Schwalley, who have rooms in the South Ninth street house, accused Reno of grand Jarceny. He waived examination, and was held for the Grand Ju.y.
Reno is about 38 years old, very dark, and dresses well. He wears spectacles. The police believe that Reno has robbed more than 100 persons in Brooklyn, Jersey City, and this city.

The Erie Canal Ice Locked.

ALBANY, Nov. 29. - The eastern division of the Erie Canal is ice locked, and eighty-five boats are fast. They are all east-bound boats, and will probably have to remain in the canal ever winter. Their cargoes will be removed and sent by will. Fifty-five of the boats are leaded with grain from Buffalo, twenty with lumber from the same city, four with sait from Syracuse, and six with barley from Oswego. The ice breakers have been at work all day, but very little prog-ress has been made because of the low tempera-ture and staff northeast wind.

The Moral Wave Beaches Trenton.

TRENTON, Nov. 29.-Trenton's Police Commisstoners will begin a crusade against boxing tournaments and disorderly houses. Last night they directed Chief McChesney to put a stop to all sparring matches, which they regard as price fights under police protection, and also to notify the proprietors of public halls that no sparring exhibitions will be allowed in entertainments by travelling companies. The Chief served the notices to-day. He was censured by the Commissioners for pleasing that no disturbances of any sioners for pleading that no disturbances of any consequence occurred in disorderly houses.

Business Motices.

Mrs. Winslow's Southing Syrup for Children tecthing softens the gums, reduces inflammation, sliays pains, cures wind colle, diarrhesa, 25c, a bottle,

DIED.

CARRAHER. - The members of the Seneca Club and Tammany Hall General Committee of the Eleventh Assembly district are respectfully re-quested to attend the funeral services of our late fellow member, Joseph M. Carraher, at St. Francis Xavier Church, West 10th st., Friday, Nov. 30, al

Xavier Church, N.
9:30 o'clock A. M.
AUGUSTUS T. DOCHARTY, WILLIAM B. McINTIRE,

Chairman General Committee,
DE GARMENDIA, -At his residence, 13 West 48th st. on Nov. 27, Carlos Gulliermo de Garmen-dia, in the 62d year of his age. Requiem mass at St. Patrick's Cathedral Friday, Nov. 30, at 9 A. M. Interment at Bonnie Brae. Bal

FLAMERTY, On Wednesday, Nov. 28, 1894, Michael Flaherty, native of county Galway, Ire land, in the 50th year of his age. Fineral from the residence of his cousin. Edward Flaherty, 140 Jackson av., Long Island City, on Friday, Nov. 30, at 2 o'clock. Interment in Cal-

vary Cemetery. Jersey papers please copy. ALLAGRER. on Tuesday, Nov. 27, Thomas A.

Callagher.

Funeral from the residence of his brother-in-law,

Funeral from the residence of his brother-in-law, Thomas M. Muiry, 10 Perry st., Friday, Nov. 3c, 9:30 A. M.; theree to St. Francis Navier's Church, West 16th at., where a mass of requiem will be offered for the repose of his soul.

JENKINS, -Un Thursday meraing, Nov. 29, Caroline, wife of George W. Jenkins. Fuheral private.

1.EAVITE.—On Monday, Nov. 5, at his residence,

on Garavan, France, James T. Leavitt of New Haly Communion, 20th at, corner 6th av., Saturday morning, Dec. 1, at 8-42 o'clock. Please omit

MEYER, On Tuesday, Nov. 27, 1894, Emma S., the heloved daughter of Henry W. and Larintia V. Meyer, aged 22 years. Reintives and friends are respectfully invited to attend the funeral from her late residence, Sherman

at., near Fresh Fond road, Glendale, Long Island, on Saturday, Dec. 1, at 2 P. M. Interment Cypress O'BRIEN,-At Morristown, N. J., on Tuesday, Nov. 27, Martin O'Brien, aged 78 years. Requiem mass at St. Mary's Church. Morristown,

circk on Friday, Nov. 30. en route to Brunen, George A Britanity, aged 55 2 CATA

Belatives and friends are invited to attend the

funeral services at his late restience. Als West and at., this (Vriday) afternoon at 4 o'clee's. Inter-ment at Woodlawn at the convenience of the mMFFM. Suddenly, on Totalay, Nov. 27, 1894 James W. Maitis, aged St years. Funeral services at his late residence, 467 Sedford av., Brooklyn, Velday evening, Nov. 30, at 8 o'clock.

interment at Greenwood. Please omit flowers. STEVENS. Suitlenly. Wednesday exenting, Nov. 28 Channey Stevens. In the both year of his age. Prayers at the residence, 154 West 950 st., on Satur

A WOODLAWN CEMETERY SORET, WOODLAWN ENGLES HATCHER WAND;

Mew Bublications.

THE HUMAN HAIR.